IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

EVOLVED WIRELESS, LLC,)
Plaintiff,)
v.) C.A. No. 15-542-JFB-SRF
APPLE INC.,)
Defendant.)
EVOLVED WIRELESS, LLC,	
Plaintiff,)
v.) C.A. No. 15-543-JFB-SRF
HTC CORPORATION and HTC AMERICA, INC.,)))
Defendants.)
EVOLVED WIRELESS, LLC,	_ /
Plaintiff,)
v.) C.A. No. 15-544-JFB-SRF
LENOVO GROUP LTD., LENOVO (UNITED STATES) INC., and MOTOROLA MOBILITY,))))
Defendants.)))

EVOLVED WIRELESS, LLC,)
Plaintiff,)
v.) C.A. No. 15-545-JFB-SRF
SAMSUNG ELECTRONICS CO., LTD. and SAMSUNG ELECTRONICS AMERICA, INC.,)))
Defendants.)))
EVOLVED WIRELESS, LLC,)
Plaintiff,))
v.) C.A. No. 15-546-JFB-SRF
ZTE CORPORATION, ZTE (USA) INC., and ZTE SOLUTIONS INC.,)))
Defendants.)
EVOLVED WIRELESS, LLC,)
Plaintiff,))
v.) C.A. No. 15-547-JFB-SRF
MICROSOFT CORPORATION, MICROSOFT MOBILE OY, and NOKIA INC.,)))
Defendants.	,

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT

Pursuant to Federal Rule of Civil Procedure 56, Defendants Apple Inc., HTC

Corporation, HTC America, Inc., Lenovo (United States) Inc., Motorola Mobility LLC, Samsung

Electronics Co., Ltd., Samsung Electronics America, Inc., ZTE (USA) Inc., Microsoft

Corporation, Microsoft Mobile Oy, and Microsoft Mobile Inc. (f/k/a Nokia Inc.) (collectively,

"Defendants") move for summary judgment of non-infringement as to the asserted claims of U.S. Patent Nos. 7,809,373 and 7,881,236. The grounds for this motion will be fully set forth in Defendants' Opening Brief in Support of Their Motion for Summary Judgment, to be filed on October 6, 2017, pursuant to ¶ 8(c)(2) of the amended Scheduling Order in this action. (*See* C.A. No. 15-545-JFB-SRF, D.I. 127 (scheduling order); *id.*, D.I. 165 (stipulation amending scheduling order)).

/s/ Philip A. Rovner

OF COUNSEL:
Stephen S. Korniczky
Martin R. Bader
Ericka J. Schulz
Kayla Page
SHEPPARD, MULLIN, RICHTER &
HAMPTON, LLP
12275 El Camino Real, Suite 200
San Diego, CA 92130
(858) 720-8900

Philip A. Rovner (No. 3215)
Jonathan A. Choa (No. 5319)
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
(302) 984-6000
provner@potteranderson.com
jchoa@potteranderson.com
Attorneys for Defendants HTC Corporation and
HTC America, Inc.

OF COUNSEL:
Mitchell G. Stockwell
Richard W. Goldstucker
KILPATRICK TOWNSEND AND
STOCKTON LLP
1100 Peachtree Street, Suite 2800
Atlanta, GA 30309
(404) 815-6500

Taylor H. Ludlam
KILPATRICK TOWNSEND AND
STOCKTON LLP
4208 Six Forks Road, Suite 1400
Raleigh, NC 27609
(919) 420-1700

Akarsh P. Belagodu KILPATRICK TOWNSEND AND STOCKTON LLP 607 14th Street, NW, Suite 900 Washington, DC 20005 (202) 508-5800

OF COUNSEL:
Michael D. Jay
Bill Ward, Ph.D.
Nandan R. Padmanabhan
Micol Small
Martin Ellison
BOIES, SCHILLER & FLEXNER LLP
401 Wilshire Blvd., Suite 850
Santa Monica, CA 90401
(310) 752-2400

Steven Holtzman Boies, Schiller & Flexner LLP 1999 Harrison Street, Suite 900 Oakland, CA 94612 (510) 874-1000

/s/ David E. Moore

David E. Moore (No. 3983)
Bindu A. Palapura (No. 5370)
Stephanie E. O'Byrne (No. 4446)
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
(302) 984-6000
dmoore@potteranderson.com
bpalapura@potteranderson.com
sobyrne@potteranderson.com
Attorneys for Defendants Lenovo Group Ltd.,
Lenovo (United States) Inc., and Motorola Mobility
LLC

/s/ David E. Moore

David E. Moore (No. 3983)
Bindu A. Palapura (No. 5370)
Stephanie E. O'Byrne (No. 4446)
POTTER ANDERSON & CORROON LLP
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
(302) 984-6000
dmoore@potteranderson.com
bpalapura@potteranderson.com
sobyrne@potteranderson.com
Attorneys for Defendant Apple, Inc.

OF COUNSEL:

Kevin P.B. Johnson
Victoria F. Maroulis
Todd M. Briggs
Charles M. Stiernberg
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
555 Twin Dolphin Dr., 5th Floor
Redwood Shores, CA 94065

(650) 801-5100

OF COUNSEL:

Jay H. Reiziss Natalie A. Bennett MCDERMOTT WILL

McDermott Will & Emery LLP 500 North Capitol Street, N.W. Washington, DC 20001 (202) 756-8000

Charles M. McMahon Hersh H. Mehta McDermott Will & Emery LLP 227 West Monroe Street Chicago, IL 60606

(312) 372-2000

OF COUNSEL: Richard A. Cederoth SIDLEY AUSTIN LLP One South Dearborn Street Chicago, IL 60603 (312) 853-7000

Ellen S. Robbins SIDLEY AUSTIN LLP 555 West Fifth Street Los Angeles, CA 90013 (213) 896-6000

Joseph A. Micallef Anna M. Weinberg Wonjoo Suh SIDLEY AUSTIN LLP 1501 K Street, N.W. Washington, DC 20005 (202) 736-8000 /s/ Andrew E. Russell

John W. Shaw (No. 3362) Karen E. Keller (No. 4489) Andrew E. Russell (No. 5382) Nathan R. Hoeschen (No. 6232) SHAW KELLER LLP

I.M. Pei Building 1105 N. Market Street, 12th Floor

Wilmington, DE 19801

(302) 298-0700

arussell@shawkeller.com

Attorneys for Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.

/s/ Kelly E. Farnan

Kelly E. Farnan (No. 4395)
Travis S. Hunter (No. 5350)
RICHARDS, LAYTON & FINGER, P.A.
920 N. King Street
Wilmington, DE 19801
(302) 651-7700
farnan@rlf.com
hunter@rlf.com

 $Attorneys\ for\ Defendant\ ZTE\ (USA)\ Inc.$

/s/ Rodger D. Smith II

Rodger D. Smith II (No. 3778)
Jeremy A. Tigan (No. 5239)
MORRIS, NICHOLS, ARSHT & TUNNELL LLP
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19801
(302) 658-9200
rsmith@mnat.com
jtigan@mnat.com

Attorneys for Defendants Microsoft Corporation, Microsoft Mobile Oy, and Microsoft Mobile Inc. (f/k/a Nokia Inc.)

Dated: August 31, 2017